



0321.68812

PATENT APPLICATION

17/14/06

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael J. Sailor and
Shawn O. Meade
Serial No.: 10/589,741
Conf. No.: 9856
Filed: August 16, 2006
For: OPTICALLY ENCODED PARTICLES
WITH GREY SCALE SPECTRA
Art Unit: 2621
Examiner:

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17/14/06

Date

Attorney for Applicant(s)
Registration No. 35,132INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This IDS is submitted under 37 C.F.R. §1.97(b) within any of the following time periods, whichever occurs last:

- (a) within three months of either the filing date of the application or the date of entry into the national stage; or
- (b) before the mailing date of First Office Action on the merits (i.e., not including actions such as restriction requirements); or
- (c) before the mailing of a First Office Action after the filing of a Request for Continuing Examination.

Applicant(s) submit herewith Form PTO-1449 (Information Disclosure Citation) together with copies of foreign patents, publications or other information of which applicant(s) are aware, which applicant(s) believe may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 C.F.R. §1.56. Applicant(s) respectfully submit that the citation of any reference on Form PTO-1449 does not constitute an admission that the reference qualifies as prior art.

It is requested that the information disclosed on the enclosed Form PTO-1449 be made of record in this application.

The Commissioner is hereby authorized to charge any additional fees which may be required to this application under 37 C.F.R. §§1.16-1.17, or to credit any overpayment, to Deposit Account No. 07-2069. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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By:

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Sheet

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of

6

Complete if Known

Application Number	10/589,741
Filing Date	8/16/2006
First Named Inventor	Michael J. Sailor
Art Unit	
Examiner Name	

Attorney Docket Number 0321.68812

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (<i>if known</i>)			
		US- 6,355,431	3/12/2002	Chee et al.	
		US- 6,396,995	5/28/2002	Stuelpnagel et al.	
		US- 6,429,027	8/6/2002	Chee et al.	
		US- 6,544,732	4/8/2003	Chee et al.	
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		US- 6,770,441	8/3/2004	Dickinson et al.	
		US- 6,812,005	11/2/2004	Fan et al.	
		US- 6,846,460	1/25/2005	Lebl	
		US- 6,858,394	2/22/2005	Chee et al.	
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		US- 5,218,472	6/8/1993	Jazefowicz et al.	
		US- 5,318,676	6/7/1994	Sailor et al.	
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		US- Re. 33,581	4/30/1991	Nicoli et al.	
		US- 2003/0129778	7/10/2003	Bastian et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (<i>if known</i>)				
		WO 03/067231	8/4/2003	Sailor et al.		

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Application Number	10/589,741
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		First Named Inventor	Michael J. Sailor
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		Attorney Docket Number	0321.68812
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), city and/or country where published.	T
	1.	Eric J. LEE et al., "Photoderivation of the Surface of Luminescent Porous Silicon with Formic Acid", <i>J. Am. Chem. Soc.</i> , Vol. 117, 8295-96 (1995).	
	2.	V.S.Y. LIN et al., "A Porous Silicon-Based Optical Interferometric Biosensor", <i>Science</i> , Vol. 278, pp. 840-842 (Oct. 31, 1997).	
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